

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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RICHARD A. ADAMS, on behalf of himself and  
on behalf of all others similarly situated,

Plaintiff,

-against-

IBM PERSONAL PENSION PLAN, KENNETH J.  
MORRISSEY, Plan Administrator,  
Defendants.

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USDC SDNY  
DOCUMENT  
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DATE FILED: 2/5/08

07 CIVIL 6984 (JSR)

**JUDGMENT**

Whereas the above-captioned action having come before this Court, and the matter having come before the Honorable Jed S. Rakoff, United States District Judge, and the Court, on February 4, 2008, having rendered its Order granting defendants' motion to dismiss and directing the Clerk of the Court to enter final judgment dismissing the complaint with prejudice and to close any open motions, it is,

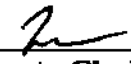
**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated February 4, 2008, defendants' motion to dismiss is granted and the complaint is dismissed with prejudice; accordingly, the case is closed.

**Dated:** New York, New York  
February 5, 2008

**J. MICHAEL McMAHON**

\_\_\_\_\_  
Clerk of Court

BY:

  
\_\_\_\_\_  
Deputy Clerk

**THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON \_\_\_\_\_**